

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: BEDETTI

Application No. 10/562,503

Confirmation No. 8078

Filed: December 23, 2005

Examiner: POPOVICS, Robert J.

Customer No. 30448

Group Art Unit: 1797

For: FLUID BED GRANULATION PROCESS AND APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

This response is in reply to a restriction requirement set forth in the Office Action dated August 15, 2008, in the above-identified application, with a one month shortened statutory period, making a response due on or before September 15, 2008. This response is timely filed.

REMARKS

In the above-identified Office Action, the Examiner has issued a restriction requirement and asserts that the application contains two patentably distinct species and requires election of one of the following species under 35 U.S.C. §121:

Species 1: Figure 2; and

Species 2: Figure 3.

Applicant hereby elects Species 1 (Figures 1 and 2), which corresponds to claims 1-6 for further prosecution, without traverse. Contrary to the statement in the Office Action that no
{WP528071;1}

claims appear to be generic, Applicant believes that claim 3 is generic. As claim 7 relates to the apparatus claimed in claim 3, and is dependent upon this generic claim, Applicant requests rejoinder of this claim upon the finding that claim 3 is allowable.

The foregoing is submitted as a full and complete Response to the Election of Species mailed August 15, 2008, and early and favorable consideration of the claims is requested. Withdrawal of the outstanding restriction requirement under 35 U.S.C. §121, and examination on the merits is respectfully requested. No fees are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0951.

Respectfully submitted

Date: 9/15/08



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